

CONFIDENTIAL

ER 3-1690

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11 August 1952

MEMORANDUM FOR: DDCI

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SUBJECT: [] Case

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If and when this case is tried, I greatly fear that the testimony of our men will bring us into the newspapers again [] the first publicity. It seems to me that we should therefore make every effort to avoid the necessity of having our men testify. There are two ways this might be done:

1. By agreement with Justice.
2. By CIA Counsel appearing in court disclaiming jurisdiction of CIA over this type of internal security information and requesting the court to throw out Count No. 1.

If Count No. 1 is thrown out, the testimony of our men becomes irrelevant.

The possibility that we might act as in 2. above, which would be very embarrassing to Justice, may induce Justice to consent as in 1. above.

Do you plan to see McInerney about this question?

[]
Stuart Hedden

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1001. Statements or entries generally

Whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly and wilfully falsifies, conceals or covers up by any trick, scheme or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than five years, or both. June 25, 1948, c. 645, 62 Stat. 749.

ILLEGIB

